



Elmar Brok

MEMBER OF THE EUROPEAN PARLIAMENT

COMMITTEE ON FOREIGN AFFAIRS

THE CHAIRMAN

Ambassador Lazăr Comănescu
Mission of Romania to the European Union

Via Fax: 02-70 00 641

Brussels, 29 November 2005

Dear Ambassador Comănescu, *dear Lazăr*

Thank you very much for your fax of 14th October in which you assured me that the trial in the case of Gregorian Bivolaru "will take place in accordance with the principles of independence of the judiciary and the respect for human rights" and according to European standards.

However, as you may know, the Swedish Supreme Court decided on 21 October not to follow the Romanian extradition request owing to its conclusion that Mr Bivolaru, "due to his religious views, risks being subjected to prosecutions of a severe nature". Further, the Swedish Supreme Court based its sentence on the consideration that the interrogation of the alleged victim of Mr Bivolaru took place in a precarious manner and that Romanian authorities had a part in turning the public opinion against the accused.

Religious freedom and the independence of judiciary are two of the fundamental principles the European Union is based on. In the light of Romania's aspirations to join the EU, the sentence of the Swedish Supreme Court is most worrying.

There seems to be a discrepancy between your assurance of the appliance of European standards in the Romanian judicial system and the findings of the Swedish Supreme Court. Your statement on this would be very much appreciated. It would be also interesting to know, how Romania is planning to assure these standards in the future and how Mr Bivolaru's integrity is to be secured should he return to Romania.

Yours sincerely